REMARKS/ARGUMENTS

The Office Action of January 11, 2006, has been carefully reviewed and this response addresses the Examiner's concerns stated in the Office Action. All objections and rejections are respectfully traversed.

I. STATUS OF THE CLAIMS

Claims 1-11, 29-33, 43-48, and 58-82 are currently pending.

Claims 59 and 64 are rejected under 35 U.S.C. § 112, second paragraph.

Claims 1, 2, 7, 8, 29-32, 43-47, 58-62, 65, 70, 71, and 75-82 are rejected under 35 U.S.C. § 103 as being unpatentable over Kawamura, United States Patent Publication # US 2003/0053177, published March 20, 2003, filed on October 4, 2002 as a division of United States Patent # 6,480,313, filed on January 23, 1998 (Kawamura). Applicants respectfully point out that claim 47 should not be in the above list of rejected claims, but claim 74 should be. Therefore, the corrected list of claims rejected as being unpatentable over Kawamura is claims 1, 2, 7, 8, 29-32, 43-46, 58-62, 65, 70, 71, and 74-82.

Claims 9, 11, and 47 are rejected under 35 U.S.C. § 103 as being unpatentable over Kawamura in view of Zaudtke et al, United States Patent # 6,654,816, issued on November 25, 2003, filed on May 31, 2000 (Zaudtke). Applicants respectfully note that Zaudtke issued over three years after Applicants' priority date, August 15, 2000. Applicants reserve the right to file an affidavit under 37 C.F.R. § 1.131 to swear behind Zaudtke.

Claim 10 is rejected under 35 U.S.C. § 103(a) as being unpatentable over Kawamura in view of Zaudtke and further in view of Inoue et al., United States Patent Publication # 2004/0077351, published on April 22, 2004, filed on October 9, 2003, continuation of United States Patent # 6,643,284, filed on September 29, 1999 (Inoue). Applicants respectfully note that Inoue was published almost three years after the filing date of the present application, August 15, 2001. Applicants reserve the right to file an affidavit under 37 C.F.R. § 1.131 to swear behind Inoue.

Claims 33, 63, and 64 are rejected under 35 U.S.C. § 103 as being unpatentable over Kawamura in view of Zaudtke in view of Inoue.

Claim 72 is rejected under 35 U.S.C. § 103 as being unpatentable over Kawamura in view of Zaudtke in view of Chase et al., United States Patent # 5,974,238, issued on October 26, 1999 (Chase).

Claim 73 is rejected under 35 U.S.C. § 103 as being unpatentable over Kawamura in view of Zaudtke in view of Chase, in further view of Lowery, United States Patent # 6,446,111, issued on September 3, 2002, filed on June 18, 1999 (Lowery).

Claims 3-6, 48, and 66-69 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Claims 12-28, 34-42, and 49-57 have been previously withdrawn from consideration without prejudice.

Claims 1, 29, 43, 48, 59, 64, 70, 72, and 73 have been amended. Support for these amendments can be found in Applicants' Specification, paragraphs 50, 52, 70, 72, 83, and 97 (claims 1, 29, 43, and 72), and paragraphs 15-18, and 94 (claim 59). Amendments to claims 48, 64, 70, and 73 are to make the claims consistent with other amended claims.

II. REJECTIONS UNDER 35 U.S.C. § 112

On page 2, in paragraphs 1 and 2, the Office Action states that claim 59 is rejected under 35 U.S.C. § 112, second paragraph, because it recites "means for receiving said signal to form a received signal; and means for passing said received signal to said handheld device physical layer", and, the Office Action states, it is not clear which element is for receiving said signal to form a received signal and which element is for passing said received signal to said handheld device physical layer. Applicants have amended claim 59 to further define the invention, but not

to overcome the present rejection Applicants' attorneys requested, on March 15, 2006, additional information on this rejection. Applicants respectfully thank Examiner for his clarification of this rejection that Applicants provide information about the support for claim 59 with respect to Applicants' drawings.

Applicants' respectfully refer Examiner to FIGs. 1B, 7, 10A and 10B in which a method for processing a broadcast (unidirectional) signal in a handheld device is presented. FIG. 10A, step 1002, receive raw broadcast information, supports Applicants' claimed step of means for receiving said signal into said at least one handheld device to form a received signal. As stated in paragraph 116, with respect to FIG. 7, communication module 702 is responsible for receiving data from emitter 108 and sending data to POP 110 or other wireless device; communication module 702 manages unidirectional communications to and from client 112. Referring to FIG. 1B, communication module 702 may be implemented as part of input/output module 132 or IR communication interface 130, and these modules can provide Applicants' claimed means for passing the received signal to a handheld device physical layer, and means for passing the received signal from said handheld device physical layer to said second link layer, the discussion for which can be found in Applicants' Specification, paragraphs 15-18.

The Office Action states that claim 64 recites the limitation "said broadcast XML element" but there is insufficient antecedent basis for this limitation in the claim. Applicants have amended claim 64 to correct the antecedent basis error.

III. REJECTIONS UNDER 35 U.S.C. § 103

In order for a rejection under 35 U.S.C. § 103 to be sustained, the Office Action must establish a prima facie case of obviousness. To establish a *prima facie* case of obviousness, three basic criteria must be met. First, there must be some suggestion or motivation, either in the reference itself or in the knowledge generally available to one of ordinary skill in the art, to modify the reference. Second, there must be a reasonable expectation of success. Finally, the prior art reference must teach or suggest all the claim limitations. Applicants assert that

Kawamura, Zaudtke, Inoue, Chase, and Lowery, either alone or in combination, do not make obvious Applicants' claimed invention at least because:

(1) Applicants have amended independent claims 1, 29, and 43 to further define the invention, specifically to clarify that the signal is transmitted to at least one handheld device within the broadcast coverage area of the transmitter (independent claims 1, 29, and 43). This feature is not disclosed or suggested by any of the cited references.

(2) Karamura teaches away from the use of Applicants' claimed diffuse infrared signal (dependent claims 8, 9, 32, and 47).

(3) No citation in the cited references discloses or suggests Applicants' claimed integrity XML element (dependent claim 64).

In support of Applicants' assertions of patentability, Applicants set forth the following:

A. On pages 2-8, in paragraphs 3-4, the Office Action states that claims 1, 2, 7, 8, 29-32, 43, 47, 58-62, 65, 70, 71, and 75-82 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Kawamura. Applicants respectfully point out that claim 47 should not be in the above list of rejected claims, but claim 74 should be. Therefore, the corrected list of claims rejected as being unpatentable over Kawamura is claims 1, 2, 7, 8, 29-32, 43-46, 58-62, 65, 70, 71, and 74-82.

With respect to independent claims 1, 29, and 43, Applicants have amended independent claims 1, 29, and 43 to further define the invention. In particular, Applicants have clarified that the claimed transmitter transmits the signal to the at least one handheld device within a broadcast coverage area of the transmitter. Applicants' amended independent claims 1, 29, and 43 are thus clearly patentable over Kawamura because Kawamura states that "with this operation of the repeater section 101, it becomes possible for the repeater apparatus 1001 to pass information as output from the equipment a to equipment b or equipment c or equipment b, c; or alternatively, route information outputted from equipment b toward equipment a or equipment c or equipment a, c; or still alternatively, send information outputted from equipment c to equipment a or equipment c" (Karamura, para. 68). In other words, Karamura routes messages based on

addressing rather than broadcast coverage area of the transmitter. Because Applicants amended independent claims 1, 29, and 43 are clearly patentable over Kawamura, the rejection of independent claims 1, 29, and 43 under 35 U.S.C. § 103 should be withdrawn.

Further, with respect to independent claims 1, 29, and 43, the Office Action states that Kawamura differs from the claimed invention in that Kawamura does not specifically disclose that the device is a handheld device, that it would have been obvious that the device could be a handheld device, and that the motivation to do this would be to provide a portable communication device. The MPEP § 2144.03(A) states that Official notice unsupported by documentary evidence should only be taken by the examiner where the facts asserted to be well-known, or to be common knowledge in the art are capable of instant and unquestionable demonstration as being well-known. Although the Office Action does not state that Official Notice is taken, the structure of the rejection implies "common knowledge" or Official Notice, and thus, Applicants herein traverse the rejection. Applicants assert that the use of a handheld device in the system of Kawamura is not capable of instant and unquestionable demonstration because Kawamura states a direct emission-type system in which line-of-sight transparency or visibility is required between communicating devices, which isn't compatible with the use of a handheld device. For this reason, Applicants assert that Official Notice is not appropriate and the rejection of Applicants' independent claim 1 under 35 U.S.C. § 103 should be withdrawn.

Applicants assert that claims dependent 2, 7, 30, 31, 45, and 46 are patentable at least by virtue of their dependence upon patentable independent claims 1, 29, and 43.

With respect to dependent claims 8 and 32, on page 4, the Office Action states that Kawamura discloses that the diffuse infrared signal is well known (Kawamura, para. 6). In the cited passage, Kawamura states that a second data communication method using infrared radiation is a diffusion type which causes infrared radiation as emitted from transmitters to reflect off from ceilings, walls or the like and then allows receivers to receive the resultant reflected and scattered rays of infrared signal light. Elsewhere, Kawamura states that diffusion type communications require more power (para. 7), and that the arrival time of signal light tends to be delayed which leads to the risk of interference (para. 8). After stating the problems with

diffusion type communications, Kawamura states that his invention is drawn to direct emission type communications (para. 11). Thus, Karamura teaches away from the use of Applicants' claimed diffuse infrared signal because Kawamura could have, but didn't, create a system that could accommodate diffusion type communications. *Bausch & Lomb*, 230 U.S.P.Q. at 419 teaches that it is impermissible within the framework of 35 U.S.C. § 103 to pick and choose from a reference only so much of it as will support a conclusion of obviousness to the exclusion of other parts necessary to a full appreciation of what the reference fairly suggests to one skilled in the art. In this case, the reference does not disclose the use of a diffuse infrared signal to accomplish its goal of independent effectuation of communications between individual equipments (Karamura, para. 11). For this reason, the rejection of claims 8 and 32 under 35 U.S.C. § 103 should be withdrawn.

With respect to dependent claim 58, on page 4, the Office Action states that Kawamura shows in FIG. 11 that the signal is unidirectional infrared. In the description of FIG. 11 (Kawamura, paras. 117 – 176), Kawamura states that several signals such as requests, indications, responses and confirmations are exchanged between the data link control sections and repeater section (Kawamura, para. 141). In Kawamura, discovery requests are sent and discovery confirmations are received, thus indicating a bi-directional communication system. Applicants', on the contrary, claim a unidirectional signal. For this reason, Kawamura does not make obvious Applicants' claim 58 and the rejection of claim 58 under 35 U.S.C. § 103 should be withdrawn.

Applicants assert that dependent claims 59-62 and 65 are patentable at least by virtue of its dependence upon patentable claims 1 and/or 58.

With respect to dependent claim 74, on page 5, the Office Action does not state a citation within Karamura to reject claim 74. Applicants have searched Kawamura but have failed to find within the reference a disclosure or suggestion that would make obvious Applicants' claimed transmission of infrared signal which is generated by modulating an electric light. For this reason, Kawamura does not make obvious Applicants' claim 74, and the rejection of claim 74 under 35 U.S.C. § 103 should be withdrawn.

With respect to dependent claim 70, on page 6, the Office Action states that Kawamura discloses making said information available to a user of said handheld device, but the Office Action does not provide a citation for the rejection. Applicants cannot find anywhere in Kawamura the disclosure or suggestion that any information is made available to a user. Kawamura states that, with respect to information that is exchanged, frame analysis is performed for recognition as a connection set frame to thereby send a connection set indication to the repeater section, that upon receipt of the connection set indication from 1C, 100 stores the content of such connection set indication into the storage section 1m, which is designed to store therein information obtainable from 1C, and that if a connection handle has been written which is for identification of a connection between 1Ca and 1C, then it is stored and 100 sends a connection set response with the connection handle being written therein to 1C. In other words, Kawamura's system analyzes a frame and stores it, but there is no user involved at all. For this reason, Kawamura does not make obvious Applicants' claim 70, and the rejection of claim 70 under 35 U.S.C. § 103 should be withdrawn.

With respect to dependent claim 71, on page 6, the Office Action states that Kawamura differs from the claimed invention in that Kawamura does not disclose a plug-in, said plug-in for performing said extracting step and said making step, but that it would have been obvious to provide plug-in for extracting information. *In re Fritch*, 23 U.S.P.Q.2d 1780, 1783 (Fed. Cir. 1992) and *In re Gordon*, 221 U.S.P.Q. 1125, 1127 (Fed. Cir. 1984) teach that the mere fact that a prior art structure could be modified to produce the claimed invention would not have made the modification obvious unless the prior art suggested the desirability of the modification. The use of XML to tag data is advantageous in Applicants' system because the data are able to be directly displayed, for example, by the handheld device because the XML tags provide appropriate directions. There is no such need in the system of Kawamura, and Kawamura does not indicate anywhere that the use of XML could be advantageous. Thus, because Kawamura does not suggest Applicants' claimed plug-ins for extracting information from the received signal, and because Kawamura does not include any interaction with a user at all and thus does not suggest the desirability of Applicants' claimed making said information available to a user of

a handheld device through a plug-in, Kawamura does not make obvious Applicants' claim 71, and the rejection of claim 71 under 35 U.S.C. § 103 should be withdrawn.

Applicants assert that dependent claims 75-82 and 44 (pages 7 and 8) are patentable at least by virtue of their dependence upon patentable amended claims 29 and 43.

B. On pages 8-9, in paragraph 5, the Office Action states that dependent claims 9, 11, and 47 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Kawamura in view of Zaudtke, that Kawamura discloses infrared communication system and differs from the claimed invention in that Kawamura does not disclose that the signal has a wavelength in the range of substantially 850 nanometers to 1250 nanometers, that Zaudtke is cited to show infrared communication system using wavelength in the range of substantially 850 nanometers to 1250 nanometers, that Zaudtke teaches, in col. 11, lines 17-31, the use of infrared light at approximate 980 nanometer wavelength, and that it would have been obvious to provide a wavelength in the range of substantially 850 nanometers to 1250 nanometers.

As stated previously, Kawamura does not disclose Applicants' claimed diffuse infrared signal (claim 8, upon which claim 9 depends, and claim 47), and in fact teaches away from an invention that includes such a signal. With respect to Applicants' claimed wavelength range of substantially 850 – 1250 nanometers, in the cited passage (Zaudtke, col. 11, lines 17-31), Zaudtke states infrared devices capable of communicating with standard devices may be implemented according to the IrDA protocol, that the physical layer of the IrDA protocol is addressed with an infrared transceiver which provides access to the physical medium using infrared light at approximately the 980 nanometer wavelength. Elsewhere, Zaudtke states that in the infrared transceiver embodiment, the administrator 126 need only point the handheld device in the general direction of one of the infrared transceivers 119 to establish, initiate and maintain communication, or otherwise conduct a communication session, with any of the server computers 101-109 (Zaudtke, col. 7, lines 32-37). In other words, Zaudtke is disclosing a direct emission type communication method, the same type as Kawamura states (Kawamura, para. 11).

Applicants, on the contrary, claim in Applicant's claim 9, by virtue of dependence on Applicant's claim 8, a *diffuse* infrared signal having a wavelength in the range of substantially 850 nanometers to 1250 nanometers. Kawamura states that there is a difference between direct emission and diffusion type communication methods (Karamura, paras. 4-7). Because neither Kawamura nor Zaudtke disclose or suggest a system that makes obvious Applicants' claims 9 and 47, the rejection of claims 9 and 47 under 35 U.S.C. § 103 should be withdrawn.

With respect to dependent claim 11, the Office Action states that Kawamura transmits infrared signal, and that it is well known that the signal is generated by modulating an electric light. As previously stated, Kawamura does not disclose a diffuse infrared signal (from claim 8, upon which claim 9 depends, and claim 11 depends upon claim 9). With respect to the Office Action's assertion that it is well known that the signal is generated by modulating an electric light, MPEP § 2144.3 (A) states that official notice unsupported by documentary evidence should only be taken by the examiner where the facts asserted to be well-known, or to be common knowledge in the art are capable of instant and unquestionable demonstration as being well-known. Applicants assert that Applicants' claimed generating a diffuse infrared signal by modulating an electric light is not capable of instant and unquestionable demonstration as being well-know. Without a cited reference against Applicants' claim 11, Applicants assert that the rejection of claim 11 under 35 U.S.C. § 103 should be withdrawn.

C. On page 9, in paragraph 6, the Office Action states that dependent claim 10 is rejected under 35 U.S.C. § 103(a) as being unpatentable over Kawamura in view of Zaudtke in further view of Inoue, that the combination of Kawamura and Zaudtke discloses infrared communication system between devices using markup language such as HTML (Zaudtke, col. 13, lines 3-23), that the combination differs from the claimed invention in that the combination does not disclose the use of an XML element as part of the signal, and that Inoue is cited to teach the use of XML (Inoue, para. 136).

In the first cited passage (Zaudtke, col. 13, lines 3-23), Zaudtke states that the server that holds status information from a computer that is to be accessed by the handheld device can store the information in HTML format. In the second cited passage (Inoue, para. 136), Inoue states

that when non-voice data are attached to voice data to be transferred from gateway device to a portable radio device, HTML or XML can be used to tag the data. *In re Gordon*, 733 F.2d 900, 221 USPQ 1125 (Fed. Cir. 1984) teaches that if the proposed modification would render the prior art invention being modified unsatisfactory for its intended purpose, then there is no suggestion or motivation to make the proposed modification. If Kawamura were combined with Zaudtke and Inoue, incoming packets to a particular equipment could be automatically routed to other equipment (Inoue, para 18) without the benefit of traversing Kawamura's converter. Mutually communicable applications as possessed by respective equipments (Kawamura, para. 242) could cease to operate correctly if both Inoue and Kawamura were providing differing communications frameworks because the applications could be receiving simultaneous, perhaps conflicting, input from incompatible sources. The presence of Zaudtke's communications interface could further interfere with Kawamura's system because the handheld device of Zaudtke could change the operating conditions of another of the equipments (Zaudtke, col. 2, lines 37-40) such that it was no longer able to be a part of an established connection set of Kawamura. For these reasons, the combination of Kawamura, Zaudtke, and Inoue would render Kawamura unsatisfactory for its intended purpose of enabling N-to-N communications in a direct emitter environment, and thus the rejection of claim 10 under 35 U.S.C. § 103 should be withdrawn.

D. On pages 10-11, in paragraph 7, the Office Action states that dependent claims 33, 63, and 64 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Kawamura in view of Inoue.

With respect to dependent claim 33, the Office Action states that Kawamura discloses infrared communication and differs from the claimed invention in that Kawamura does not disclose the use of an XML element as part of the signal. With respect to dependent claim 63, the Office Action states that Kawamura discloses infrared communication and differs from the claimed invention in that Kawamura does not disclose that the signal includes a broadcast XML element containing said information. With respect to dependent claim 64, the Office Action states that Kawamura discloses infrared communication and differs from the claimed invention

in that the Kawamura does not disclose the signal contains an integrity XML element. For claims 33, 63, and 64, the Office Action states that Inoue is cited to teach the use of an XML (Inoue, para. 136), and that it would have been obvious to provide XML to the system of Kawamura in order to identify type of packet used in data transfer.

In the cited passage (Inoue, para. 136), Inoue states that when non-voice data are attached to voice data to be transferred from gateway device to a portable radio device, HTML or XML can be used to tag the data. *Uniroyal v. Rudkin-Wiley,* 5 U.S.P.Q.2d 1434, 1438 (Fed. Cir. 1988) teaches that for prior art references to be combined to render obvious a subsequent invention under 35 U.S.C. § 103, there must be something in the prior art as a whole that suggests the desirability, and thus the obviousness, of making the combination, and that if the examiner cannot point to a teaching in the art that supports the combination or modification, the rejection is unfounded. Applicants respectfully point out that Kawamura does not suggest a combination that would include Inoue at least because Kawamura does not require the benefits of an XML tag such as identifying tagged content. Instead, Kawamura communicates information through a limited number of requests and confirmations, and there is no suggestion that the broad scope and flexibility of XML is required or desired in Kawamura. For this reason, Kawamura and Inoue cannot be combined, and the rejection of claims 33, 63, and 64 under 35 U.S.C. § 103 should be withdrawn.

Further, the Office Action states no citation in either Kawamura or Inoue that discloses or suggests Applicants' claimed integrity XML element (claim 64). Neither reference discloses or suggests the management of data integrity or content error checking, both of which underlie Applicants' claimed integrity XML element, and thus the rejection of claim 64 under 35 U.S.C. § 103 should be withdrawn.

E. On page 11, in paragraph 8, the Office Action states that dependent claim 72 is rejected under 35 U.S.C. § 103(a) as being unpatentable over Kawamura in view of Chase, that Kawamura discloses communication of infrared signal between devices encoded in an infrared-data-

associate (IrDA) compliant and differs from the claimed invention in that Kawamura does not disclose that the operation of said handheld device is modified upon processing said information, that Chase is cited to show modifying operation of handheld device upon reception of information from desktop (Chase, FIG. 10), and that it would have been obvious to modify operation of handheld device in order to synchronize different devices.

Applicants claim, in claim 72, wherein said signal is a unidirectional computer-readable data signal. The Office Action states that Kawamura discloses communication of infrared signal, but does not address Applicants' claimed unidirectional signal. If Kawamura is cited to reject the unidirectional aspect of claim 72, Kawamura fails as a reference because Kawamura states that several signals such as requests, indications, responses and confirmations are exchanged between the data link control sections and repeater section (Kawamura, para. 141), and that discovery requests are sent and discovery confirmations are received, thus indicating a bi-directional communication system.

With further reference to claim 72, with respect to the rejection of Applicants' claimed processing said machine-readable information modifies the operation of the handheld device, in the cited drawing (Chase, FIG. 10), Chase depicts a user's modification of data on a handheld device. Whereas Applicants claim that machine-readable information modifies the operation of the handheld device, Chase depicts in FIG. 10 what happens when a user changes data. Chase's handheld device follows a predictable sequence of events when the user changes data, and thus the modification of data in Chase does not result in the modification of operation of the handheld device. In fact, control flow shown in FIG. 10 is from handheld to desktop, indicating that, if anything, the operation of the desktop is being modified by the handheld device after the user modifies data on the handheld device.

With still further reference to claim 72, Applicants have amended claim 72 to clearly point out that the operation of the at least one handheld device in the broadcast coverage area of the transmitter is modified by the information. Finally, *In re Gordon*, 733 F.2d 900, 221 USPQ 1125 (Fed. Cir. 1984) teaches that if the proposed modification would render the Kawamura unsatisfactory for its intended purpose, then there is no suggestion or motivation to make the

proposed modification. Kawamura makes possible N-to-N communications among equipments, where Chase states a system in which the databases of two devices are synchronized. Were a Chase-style synchronization to be attempted in the system of Kawamura, data could be modified that another application executing on another equipment in the communication system of Kawamura would need to execute properly and the system would fail because the Chase-style database synchronization is designed to handle two devices only. Because Chase does not, in the cited drawing, disclose or suggest Applicants' previously presented claim 72, because Applicants' have amended claim 72 to further define the invention, and the amendment is not disclosed or suggested by Kawamura or Chase or their combination, and because Kawamura and Chase cannot be combined, the rejection of claim 72 under 35 U.S.C. § 103 should be withdrawn.

F. On pages 11-12, in paragraph 9, the Office Action states that dependent claim 73 is rejected under 35 U.S.C. § 103(a) as being unpatentable over Kawamura in view of Chase and in further view of Lowery, that the combination of Kawamura and Chase differs from the claimed invention in that the combination does not disclose that the information is processed by a plug-in running on said handheld device, that Lowery is cited to show handheld device required plug-in (Lowery col. 2, lines 19-22), and that it would have been obvious to provide plug-ins to the handheld device in order to transmit or receive information.

As Applicants have previously stated, Kawamura and Chase cannot be combined. Therefore a combination of Kawamura and Chase, in addition to Lowery is improper as well. Further, Lowery states that "[P]lug-ins are generally unsatisfactory for use with PDAs due to the storage space consumed by the plug-ins . . . [A]s PDAs often have limited storage capabilities, the plug-ins' disadvantage of consuming storage space while sitting around unused is a significant barrier to the successful use of plug-ins with PDAs" (col. 5, lines 55-60). In other words, Lowery teaches away from the use of plug-ins. *Bausch & Lomb,* 230 U.S.P.Q. at 419 teaches that it is impermissible within the framework of 35 U.S.C. § 103 to pick and choose from a reference only so much of it as will support a conclusion of obviousness to the exclusion of

other parts necessary to a full appreciation of what the reference fairly suggests to one skilled in the art. Since, as the Office Action states, Kawamura and Chase do not disclose that the information is processing by a plug-in running on a handheld device, and since Lowery teaches away from such a configuration, the rejection of claim 73 under 35 U.S.C. § 103 should be withdrawn.

IV. ALLOWABLE SUBJECT MATTER

On page 12, in paragraph 10, the Office action states that claims 306, 66-69, and 48 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

V. CONCLUSION

Amended independent claims 1, 29, and 43 are believed to be in condition for allowance. All dependent claims depend upon allowable independent claims, and are therefore also believed to be in condition for allowance.

Although no new fees are deemed to be required, the Commissioner for Patents is authorized to charge additional fees or credit overpayment to Deposit Account No. 03-2410, Order No. 12078-139.

The following information is presented in the event that a call may be deemed desirable by the Examiner: Peter J. Borghetti (617) 854-4000

Respectfully submitted,
Noah J. Ternullo et al., Applicants

Date: March 23, 2006

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